

HOUSE APPROPRIATIONS AND FINANCE COMMITTEE SUBSTITUTE FOR
HOUSE BILL 622

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

AN ACT

RELATING TO ECONOMIC DEVELOPMENT; ENACTING THE GREEN JOBS ACT;
PROVIDING FOR GREEN JOBS TRAINING PROGRAMS; CREATING A FUND;
PROVIDING PROCEDURES FOR IMPLEMENTING GRANTS TO HIGHER
EDUCATION INSTITUTIONS FOR GREEN JOBS TRAINING PROGRAMS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. SHORT TITLE.--This act may be cited as the
"Green Jobs Act".

Section 2. DEFINITIONS.--As used in the Green Jobs Act:

A. "department" means the higher education
department;

B. "fund" means the green jobs fund;

C. "green industries" means industries that
contribute directly to preserving or enhancing environmental
quality by reducing waste and pollution or producing

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1 sustainable products using sustainable processes and materials
2 and that provide opportunities for advancement along a career
3 track of increasing skills and wages. Green industries
4 include:

5 (1) energy system retrofits to increase energy
6 efficiency and conservation;

7 (2) production and distribution of biofuels,
8 including vehicle retrofits for biofuels;

9 (3) building design and construction that meet
10 the equivalent of best available technology in energy and
11 environmental design standards;

12 (4) organic and community food production;

13 (5) manufacture of products from nontoxic,
14 environmentally certified or recycled materials;

15 (6) manufacture and production of sustainable
16 technologies, including solar panels, wind turbines and fuel
17 cells;

18 (7) solar technology installation and
19 maintenance;

20 (8) recycling, green composting and
21 large-scale reuse of construction and demolition materials and
22 debris; and

23 (9) water retrofits to increase water
24 efficiency and conservation;

25 D. "green jobs training programs" means those

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1 programs implemented by educational institutions related to
 2 training individuals to work in green industries and to ensure
 3 that appropriate support services are provided;

4 E. "support services" means those services that
 5 provide trainees with the opportunity to participate in green
 6 jobs training programs, including:

- 7 (1) child care;
- 8 (2) tuition;
- 9 (3) materials needed for training programs;
- 10 (4) counseling and mentoring services;
- 11 (5) internships; or
- 12 (6) job placement programs; and

13 F. "target populations" means disadvantaged
 14 individuals, including:

- 15 (1) low-income individuals;
- 16 (2) veterans;
- 17 (3) formerly incarcerated, nonviolent
 18 offenders;
- 19 (4) tribal and rural constituencies;
- 20 (5) workers adversely affected by changing
 21 national or state energy policy;
- 22 (6) at-risk youth;
- 23 (7) unemployed youth and adults;
- 24 (8) high school dropouts; or
- 25 (9) single mothers.

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1 Section 3. STATE PLAN FOR GREEN JOBS TRAINING PROGRAMS.--

2 A. The department, in coordination with existing
3 apprenticeship programs administered by the department and the
4 public education department, shall develop a state plan for the
5 development of green jobs training programs with a focus on
6 rural and tribal communities no later than the end of fiscal
7 year 2010. This plan is intended to complement existing
8 apprenticeship programs and in no way replace such programs
9 currently funded with state money. The plan shall include a
10 schedule for funding and implementation that gives priority to
11 programs directed at target populations. The department shall
12 develop the plan:

13 (1) for coordination of a state research
14 program with the workforce solutions department in which labor
15 market data shall be collected and analyzed to track work force
16 trends from renewable energy and energy-efficiency industries
17 and energy-related initiatives;

18 (2) for a municipal and tribal energy training
19 partnership program in which the department shall award
20 competitive grants to higher education institutions in
21 partnerships with cities, towns, counties and tribes to
22 administer green jobs training programs; and

23 (3) for a pathways out of poverty program in
24 which the department shall award competitive grants to higher
25 education institutions in partnerships to administer green jobs

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1 training programs directed specifically at disadvantaged target
2 populations.

3 B. The plan shall be followed by interested higher
4 education institutions in New Mexico, and the institutions
5 shall cooperate with the department in the development and the
6 implementation of the plan.

7 Section 4. GREEN JOBS FUND CREATED.--

8 A. The "green jobs fund" is created in the state
9 treasury and shall consist of money transferred to the fund
10 pursuant to the provisions of the federal Green Jobs Act of
11 2007 and other transfers, appropriations, distributions, gifts,
12 grants and donations to the fund made for the purpose of
13 funding green jobs training programs. Earnings of the fund
14 shall be credited to the fund. Balances in the fund at the end
15 of any fiscal year shall remain in the fund.

16 B. Money in the fund shall be administered by the
17 department of finance and administration and shall be used only
18 for the purpose of making grants for the administration of
19 green jobs training programs pursuant to the Green Jobs Act.

20 C. Payments shall be made from the green jobs fund
21 upon warrants drawn by the secretary of finance and
22 administration pursuant to vouchers signed by the secretary of
23 higher education or the secretary's designated representative.
24 Such payments shall be made for the costs and administration of
25 the Green Jobs Act. Any unexpended or unencumbered balance

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1 remaining at the end of a fiscal year shall not revert to the
2 general fund.

3 Section 5. ANNUAL REPORT REQUIRED.--No later than
4 December 1 of each year, the department shall report to the
5 legislature and to the governor on its activities during the
6 previous fiscal year in administering the provisions of the
7 Green Jobs Act. The report shall include:

- 8 A. details concerning all grants made for the
9 administration of green jobs training programs;
- 10 B. details concerning all expenditures made in
11 administering the provisions of the Green Jobs Act;
- 12 C. a list of all higher education institutions in
13 which green jobs training programs were developed and funded;
- 14 D. an analysis of whether the green jobs training
15 programs have been cost-effective;
- 16 E. a report showing progress made in complying with
17 the state plan developed pursuant to the Green Jobs Act, and,
18 if in noncompliance, a plan for achieving compliance in the
19 future;
- 20 F. a summary of activities being conducted during
21 the present fiscal year; and
- 22 G. any additional information that will assist the
23 legislature and the governor in evaluating the program.

24 Section 6. EFFECTIVE DATE.--The effective date of the
25 provisions of this act is July 1, 2009.

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